

Notice of Allowability

Application No.

10/632,443

Examiner

Jeffrey Sharp

Applicant(s)

SLESINSKI ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/01/05.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on 01 February 2005 and 01 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Information Disclosure Statement

- [1] The information disclosure statement submitted on 20 April 2005 has been considered.

Allowable Subject Matter

- [2] After consideration of the newly submitted prior art, and in view of Applicant's remarks filed 20 April 2005, independent claims 1 and 15 are allowed.

Accordingly, independent claims 2-14 are also allowed.

As stated by Applicant, it appears that no new matter has been entered.

Reasons for Allowance

- [3] It was previously stated in the Notice of Allowance mailed on 30 March 2005:

"The prior art of record fails to suggest or anticipate an assembly comprising a lock washer, thrust washer, nut, and/or a spindle, wherein the nut comprises a reduced *shoulder* portion protruding from one face"

In other words, the allowable subject matter was considered to be a "shoulder portion" added to a nut in such an assembly.

This is no longer the case, because the newly submitted Storch US-2,955,885 reference now clearly makes obvious a "*shoulder*" portion (31) on a nut (29) in a combination lock washer and spindle bearing assembly, said "*shoulder*" creating a "*pocket*" between it (the nut) and the spindle/bearing.

However, although Storch clearly shows a shoulder (31) on the nut (29), Storch does not fairly suggest sizing the inside aperture of the lock washer (17) to be larger than the external diameter of the "shoulder" (31) so as to enable the free rotation of the lock washer *around* the shoulder. Instead, Storch intends the shoulder (31) of the nut (29) to be tightened up against the washer (17) (similar to all of the other cited references) and "engage the *outer face* of the washer" (col. 2 lines 62-65).

Applicant's invention differs in the fact that the present lock washer is placed laterally *around* the shoulder portion (i.e., in a radial sense), so as to be:

- 1) rotationally captivated within the pocket created by the shoulder portion, and
- 2) freely rotatable, even when the nut is tightened up against the lock washer, so as to provide infinitesimal rotational adjustment relative to the other parts of the assembly.

Conclusion

[4] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Sharp whose telephone number is currently (703) 305-0426, but will change to (571) 272-7074 in April 2005 due to a move to the Alexandria, VA campus. The examiner can normally be reached 7:00 am - 5:30 pm Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAS



ROBERT J. SANDY
PRIMARY EXAMINER